UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
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In re: File No. 8-16-74238-reg

SIRKA A. LOUCA, CHAPTER 13

Debtos.
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CHAPTER 13 PLAN

1. The future earnings of the debtor are submitted to the supervision and control of the trustee, and the debtor shall pay to the trustee for a total of 60 months, the sum of:

(i) $500.00 commencing on October 16, 2016 and for a period of six (6) months through and including March 16, 2017, and then

(ii) $2,330.00 commencing on April 16, 2017, and for a period of fifty-four (54) months through and including September 16, 2021.

2. From the payments so received, the trustee shall make disbursements as follows:

(a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. §507. Debtor owes Mark E. Cohen, Esq. the sum of $2,250.00 as and for legal fees incurred in this case.

(b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

Debtor owes pre-petition mortgage arrears to CitiMortgage, Inc. in the sum of $113,397.07.

(c) Subsequent and/or concurrently with distribution to secured, priority and administrative creditors, dividends to **unsecured creditors** whose claims are duly allowed as follows: **Debtor has no unsecured creditors.**

3. The Debtor shall make all post-petition payments, including, but not limited to mortgage payments, vehicle payments, real estate taxes and income taxes, outside the plan.

4. Loss Mitigation/Loan Modification: The mortgage due to CitiMortgage, Inc. on the property known as 26 Fox Road, East Setauket, New York 11753under account number ending with '2857' is in default. Said default including all arrears, legal fees and other expenses due to the mortgagee shall be capitalized pursuant to a loan

modification under the Court's Loss Mitigation Program, as provided in General Order 582 in the United States Bankruptcy Court for the Eastern District of New York. The debtor' post-petition mortgage payments under the Loss Mitigation calculation with the full balance due on the mortgage including, all past due payments, late charges, legal fees, escrow deficiency, etc. and totals $456,327.00 to be paid at 2% interest amortized over forty (40) years will amount to a payment of $1,382.00 including, interest ($760.55). The Debtor will make all of the payments to the Brookhaven Town Receiver of Taxes in the amounts of $6,219.46, or as may otherwise be assessed, when due and payable on or before December 31, 2016 and May 31, 2017. The Debtor will also make all payments as due to Narragansett Bay Insurance Company as and for the homeowner's insurance, with the next payment due and payable on or before October 30, 2016. The estimated monthly payment of $1,382.00 shall be paid directly to the Chapter 13 Trustee, while Loss Mitigation application is pending, and until such time as the Debtor(s) has entered into a trial loan modification under the Loss Mitigation Program. Contemporaneous with the approval and commencement of a trial loan modification, the Debtor(s) will amend the Chapter 13 Plan and Schedule J of the Debtor(s) petition to reflect the terms of the trial agreement, including the direct payment, going forward, of the mortgage to the mortgage lienholder.

5. All lease agreements are hereby assumed, unless specifically rejected.

6. During the pendency of this case, if unsecured creditors are paid pursuant to paragraph 2(c) less than one hundred percent (100%), the debtor shall provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt; however, no later than June 15th of the year in which the tax returns are filed.

7. Title to the debtor's property shall revest to the debtor upon completion of the plan or dismissal of the case, unless otherwise provided in the Order confirming the plan. Throughout the term of this plan, the debtors will not incur post-petition debt over $2,000.00 without written consent of the Chapter 13 trustee or the Court.

Dated: September 30, 2016

Sirka A. Louca, Chapter 13 Debtor

Mark E. Cohen, Esq., Attorney for Chapter 13 Debtor